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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/785,308      | 02/20/2001  | Natsuki Yuasa        | 0033-0695P          | 1988             |

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EXAMINER

ALPHONSE, FRITZ

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2133

DATE MAILED: 08/11/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/785,308

Applicant(s)

YUASA, NATSUKI

Examiner

Fritz Alphonse

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*S*

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12 and 14-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-12 and 14-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5-8, 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over You (U.S. Pat. No. 5,946,046) in view of Amo (U.S. Pat. No. 6,250,428).

As to claims 1 and 6, You (figs. 3, 8) show an information display device comprising: an information receiver (51) receiving information; an information controller (58) extracting first and second information (note that You figure 10 teaches about a controller for extracting caption data from the composite video signal); a first-information display unit (54) and a second-information display unit (57) displaying information extracting (see figures 7, 10-11; col. 4, lines 30-40); and a plurality of second-information display units successively displaying a second information stored (col.2, lines 39-58).

You does not teach about a second information which is an advertisement information.

However, in the same field of endeavor, Amo discloses an information display system wherein advertising information is shown on different section of a display (see figure 6; col. 5, lines 32 through col. 6, line 5).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine You with Amo's information display device. By doing so, customized advertising information, as disclosed by Amo, could be substituted for captions.

In addition, as to claims 1 and 6, the use of an information controller for extracting a plurality of information is very well known in the art as evidenced by Davis (see figure 2C).

As to claims 2, 7 and 12, You (fig. 5) shows an information display device, wherein a second information is provided to an information receiving side by an information transmitting side (col. 5, lines 3-19).

As to claims 5 and 10, You (fig. 3) teaches about an information display device, wherein a first information display unit (54) and a second-information display unit (57) are separate from each other.

As to claim 8, You does not teach about an information display device comprising an advertisement information. However, this limitation is disclosed by Amo (fig. 6; col. 5, lines 32 through col. 6, line 5). See the motivation above.

As to claim 11, the claim differs from claim 1 only by the additional limitation "a second-information receiver receiving a second information transmitted from second-information transmitter". However, You (fig. 6) show a second-information receiver (54) receiving a second information transmitted from the second-information transmitter (57).

3. Claims 4, 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over You in view of Minolta Camera (JP 2001100702 A).

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As to claims 4, 9, and 14, You does not teach about a display device which is continuing to display information even when the information display device is powered off.

However, in the same field of endeavor, Minolta discloses an information display wherein a display screen is able to display an index information even after turning off of power supply (see Novelty).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify You by specifically providing a system that can continue to display information even when the information display device is powered off, as disclosed by Minolta. Doing so would provide a display capable of easily restoring image data after occurrence of an error.

4. Claims 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over You in view of Amo and further in view of Davis (U.S. Pat. No. 5,559,548).

As to claims 15-19, You does not disclose an information receiver receiving a third information which is extracted from a first and second information and displayed on a third display. However, these limitations are obvious and very well known in the art as evidence by Davis (see figure 2C).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to improve upon the information display device as disclosed by Davis. Doing so would improve electronic program guide channel that provides the viewer with a more versatile, readable, and aesthetically pleasing display of program listings as well as promotional information (col. 1, lines 13-16).

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*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hiroaki (U.S. Pat. No. 6,661,425) discloses an overlapped image type information input/output apparatus.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

**or faxed to:** (703) 872-9306 for all formal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse, whose telephone number is (703) 308-8534. The examiner can normally be reached on M-F, 8:30-6:00, Alt. Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (703) 305-9595.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you


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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Fritz Alphonse

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August 6, 2004

  
Guy J. LAMARRE  
PRIMARY EXAMINER